

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES C. GARDNER,

No. 6:16-cv-01105-YY

Plaintiff,

ORDER

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Youlee Yim You issued a Findings and Recommendation [20] on November 29, 2017, in which she recommends that the Court reverse the Commissioner's final decision denying Mr. Gardner's application for disability insurance benefits and social security insurance and remand the case for further administrative proceedings.

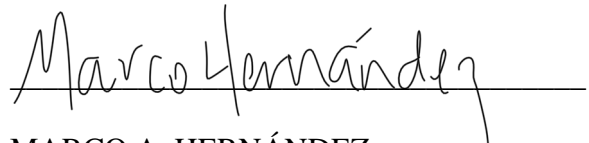
Because neither party timely filed an objection to the Magistrate Judge's Findings and Recommendation, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge You's Findings & Recommendation [20]. Accordingly, the Commissioner's final decision denying Mr. Gardner's application for disability insurance benefits and social security insurance is reversed and this case is remanded to the Commissioner for further administrative proceedings.

IT IS SO ORDERED.

DATED this 27 day of Jan, 2018.

A handwritten signature in black ink, reading "Marco Hernández", written over a horizontal line.

MARCO A. HERNÁNDEZ
United States District Judge